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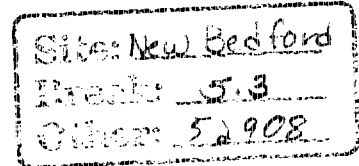
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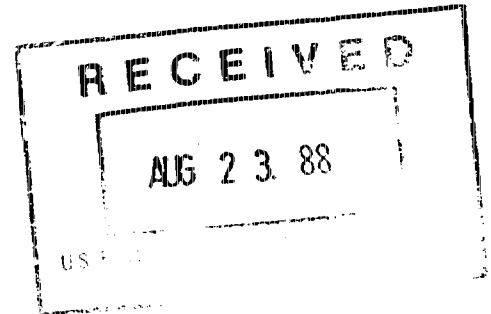
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August 18, 1988

Mr. Charles Bering
United States Environmental
Protection Agency
Region 1
J.F. Kennedy Federal Building
Boston, Massachusetts 02203-2211



Dear Mr. Bering:

This is in response to your recent, undated letter concerning our comments on the DART. Once again, you raise the issue of the Brown report concerning his work in New Bedford, this time as an apparent excuse for avoiding the substantive issues. That report is work product, and will not be produced, as has been explained previously. Nevertheless, you have or will have the relevant chromatograms; you will be getting the samples that form the basis of Dr. Brown's study; you have the requests for admission that set forth in great detail his analysis and conclusions; I am advised that Dr. Brown has appeared on several occasions to discuss with EPA and DEQE his biodegradation work; and Dr. Brown will be made available for further interview by the EPA. It seems to me that in light of the foregoing, your repeated insistence on receiving the Brown report is nothing more than an effort to obtain discovery in the natural resource damage case to which you are not entitled. I would hope that EPA will get on with the process of considering the merits of our comments.

Very truly yours,

Paul B. Galvani

PBG:mc

cc: Defense Counsel